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Measures to eliminate international terrorism

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Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraph 8 of General Assembly resolution 50/53, as read together with Assembly resolution 71/151 on measures to eliminate international terrorism. In sections II.A and B, the report contains information on measures taken at the national and international levels, based on submissions from Governments and international organizations. Section III contains a list of relevant international legal instruments.

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 50/53, as read together with Assembly resolution 71/151.

2. States were requested to submit, by 1 June 2017, information on the implementation of paragraphs 10 (a) and (b) of the Declaration on Measures to Eliminate International Terrorism, and were alerted to the fact that late submissions would be included in the next reporting cycle, as appropriate. Section II.A below contains a summary of the replies received.

3. Relevant specialized agencies and other relevant international organizations were also invited to submit, by 1 June 2017, information or other pertinent material on the implementation of paragraph 10 (a) of the Declaration. Section II.B below contains a summary of the replies received.

4. The summaries of the replies focus exclusively on the matters referred to in paragraphs 10 (a) and (b) of the Declaration, namely: (a) collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing; and (b) national laws and regulations on counter-terrorism. The full texts of the replies received, including those received after 1 June 2017, may be accessed from the website of the Sixth Committee of the General Assembly.[1]

II. Measures taken at the national and international levels regarding the prevention and suppression of international terrorism, and information on incidents caused by international terrorism

A. Information received from Member States

Albania

5. Albania had established bilateral cooperation agreements with many countries, including Slovakia (2015) and the 15 countries and areas that had been mentioned in the previous report (see A/71/182, para. 6).

6. Albania also referred to its comprehensive domestic legal framework concerning terrorism, and in particular recalled domestic provisions implementing the international legal framework and relevant Security Council resolutions, including those concerning the financing thereof and the recruitment of foreign terrorist fighters (ibid., paras. 7 and 8).

7. On the basis of its domestic provisions criminalizing the recruitment of foreign terrorist fighters, 13 persons had recently been identified as suspects, 9 of whom were Albanian nationals and had been arrested and prosecuted, and the other 4 of whom had been declared internationally wanted. Albania recalled its 2015 joint police operations, on which it had previously reported (ibid., para. 10).

Botswana

8. In 2014, Botswana had adopted the Counter-Terrorism Act (Act No. 24), criminalizing acts of terrorism and the financing thereof. Botswana had extended its

[1] www.un.org/en/ga/sixth.

use of the International Criminal Police Organization (INTERPOL) database to various branches of the Government, thus significantly contributing to the total number of annual searches conducted in the Automated Search Facility database of INTERPOL. It had established an anti-money-laundering/counter-financing of terrorism unit and had embarked on extensive human resources development in counter-terrorism, including training and capacity-building at the level of the police forces, defence forces and criminal enforcement authorities.

9. No prosecutions had been conducted under the Counter-Terrorism Act during the reporting period.

Cambodia

10. As a member of the Global Initiative to Combat Nuclear Terrorism and other international efforts to combat terrorism, Cambodia had been engaged in implementing relevant domestic measures, especially at ports of entry. To that end, special forces teams had been strengthened and given additional resources. Cambodia had further participated in international cooperative efforts on terrorism financing. The secretariat of the National Counter-Terrorism Committee of Cambodia had carried out and fostered participation in a large number of training activities at the domestic and international levels over the years, as well as organizing exercises aimed at strengthening response mechanisms in case of terrorist attack.

11. Several domestic provisions had been adopted over the years implementing the international framework on terrorism, including the Constitutional Law (1993), the Law on Management of Weapons, Explosives and Ammunition (2005), the Law on Counter-Terrorism (2007), the Criminal Code (2007), the Law on Chemical, Nuclear, Biological and Radiological Weapons (2009) and the National Planning Book on Counter-Terrorism (2009).

Colombia

12. Colombia had ratified 11 universal counter-terrorism instruments. It was actively involved in international cooperation with INTERPOL, the European Police Office (Europol), the Police Community of the Americas and the Latin American and Caribbean Police Intelligence Community. In particular, it participated in the Ibero-American Strategic System on Operations against Organized Crime.

13. During the period 2015-2016, the Government had authorized the terrorism-related extradition of five individuals to Bolivia (Plurinational State of), Spain and Venezuela (Bolivarian Republic of).

Cuba

14. Cuba was a party to 18 universal counter-terrorism instruments and complied strictly with the obligations arising from relevant Security Council resolutions. In the implementation of Council resolutions 1267 (1999), 1988 (2011), 1989 (2011) and 2253 (2015), the Ministry of Foreign Relations of Cuba systematically informed the Ministry of the Interior, the consulates and other competent authorities on the updates of the sanctions lists concerning terrorist organizations.

15. Cuba had signed 11 extradition treaties, 26 agreements on mutual assistance in criminal matters and 21 prisoner transfer agreements. As part of the Financial Action Task Force of Latin America, Cuba had signed 15 cooperation agreements with other countries on financial intelligence and participated in the Asset Recovery Network of the Task Force.

16. Cuba reiterated information previously provided on counter-terrorism measures taken at the national level, as well as on applicable domestic law (see A/71/182,

para. 30). In 2016, 533 reports of suspicious financial transactions had been received, a number of which had led to reports to the competent authority for the determination of potential crimes. The same year, sentences had been issued in Cuba against seven defendants (four of whom were persons of Cuban origin residing in Miami, United States of America, and three of whom were Cuban citizens residing in Cuba); those individuals had been sentenced to imprisonment for periods ranging between 1 and 15 years for the offences of the financing of terrorism and other acts of terrorism, as members of a terrorist organization based outside Cuba.

17. Cuba had been the victim of hundreds of terrorist acts, which had claimed the lives of 3,478 persons and incapacitated 2,099. Cuba reiterated as correct the decision of the United States to remove Cuba from the list of sponsors of international terrorism.

Czechia

18. In 2016, Czechia had signed the Council of Europe Convention on the Prevention of Terrorism of 2005 and the Additional Protocol thereto of 2015. Bilateral agreements with Austria and Germany had entered into force in 2016, and a bilateral agreement between the Ministry of the Interior and the Ministry of Defence of Italy had been signed in 2017.

19. Czechia had implemented Security Council resolution 2178 (2014) in its legislation. Thus, new crimes in the Criminal Code (amended by Act No. 455/2016 Sb) of participation in a terrorist group (section 312a), terrorism financing (section 312d), support and promotion of terrorism (section 312e) and threatening to commit a terrorist criminal offence (section 312f) and a definition of a terrorist group (section 129a) had entered into force on 1 February 2017. In particular, in paragraph 1 of section 129a, a terrorist group was defined as "an association of no less than three criminally liable persons, which has a permanent nature, its activities are divided among its individual members and are typically plan-based and coordinated, and such an association is focused on the commission of the criminal offence of treason committed in the form of a terrorist attack or terror (section 309), the criminal offence of a terrorist attack (section 311) or the criminal offence of terror (section 312)". In section 311, a terrorist attack is defined as one committed by "a person who intends to damage the constitutional establishment or the defensibility of Czechia, disrupt or destroy the fundamental political, economic or social structure of Czechia or international organisations, seriously intimidate the population or illegally compel the Government or another public authority or international organisation to do something, or fail to do or suffer", and consists in the carrying out of certain enumerated activities, such as performing an attack with the aim of causing death or grievous bodily harm, seizing hostages, destroying public facilities and infrastructure, disrupting the energy and water supply, hijacking means of transport, producing or acquiring weapons, causing fire or flood and other acts.

20. No incidents of international terrorism in the territory of Czechia had occurred in the relevant period. In 2017, a Czech citizen had been convicted of attempted support for and promotion of terrorism and sentenced to six years and six months of imprisonment; he had been travelling to the Syrian Arab Republic to join Islamic State in Iraq and the Levant (ISIL) and had been detained by the Turkish police at the airport in Istanbul, Turkey, in 2016.

El Salvador

21. The Special Law against Acts of Terrorism continued to be of critical importance at the domestic level, as it had facilitated the investigation, arrest and

prosecution of individuals in cases of domestic terrorist acts committed by nationals of El Salvador.

22. There had been no cases of international terrorism in El Salvador in 2016 and 2017, and no requests from other States for mutual assistance in criminal matters or for extradition in connection with terrorism-related offences had been received.

Finland

23. In December 2016, new criminal code provisions had come into effect, criminalizing travel to another country to commit a terrorist offence, as well as the financing of such travel (see A/71/182, para. 37). By virtue of those provisions and others, Finland was already largely in compliance with the European Union directive adopted in March 2017 concerning training, travel and facilitating travel for the purposes of terrorism. Similarly, the European Union directive of 2016 on the use of passenger name records was in the process of being fully implemented at the domestic level.

24. According to the Finnish Security Intelligence Service, the terrorist threat against Finland had increased and become more complex over time (ibid., para. 40). The results of pretrial investigations begun in October 2014 concerning four men suspected of terrorist offences had been referred to the Office of the Prosecutor General in November 2016. In addition, since the autumn of 2015, approximately 30 reports of terrorism-related offences had led to further investigations: 10 individuals had been detained on suspicion of terrorism-related offences and 2 were still held in prison while the local court dealt with their cases. Arrest warrants had been issued for a number of suspects believed to be in the conflict zones in Iraq or the Syrian Arab Republic. On 24 May 2017, a Finnish court had acquitted two brothers who had been accused of participating in the killing of at least 11 people in Iraq in 2014; an appeal from the prosecution was being considered.

Germany

25. Germany had cooperated in the fight against terrorism in many international forums, at the global and regional levels, as well as in the coalition efforts in Iraq against ISIL. It participated in the exchange of information on terrorist activities in the context of the European Union and INTERPOL.

26. As part of its domestic framework on terrorism, Germany had adopted a national strategy on terrorism in July 2016 and had carried out various prevention and deradicalization programmes. It had recently added a section 89 (c) to the Criminal Code in order to capture all forms of terrorist financing in implementation of the relevant Security Council resolutions and standards of the Financial Action Task Force on money-laundering and terrorist financing. Furthermore, European Union law implementing the Al-Qaida and Taliban sanctions regimes was directly applicable in Germany. In mid-2015, Germany had amended its domestic law governing terrorist offences in implementation of Council resolution 2178 (2014), thus adding various provisions to its Criminal Code, such as travelling with terrorist intent and the financing of terrorism. In addition, Germany had implemented measures concerning identity cards that had the effect of preventing the travel of certain individuals outside of Germany. Other relevant provisions of domestic law included an act from 2006 setting up a common standardized counter-terrorism database at the Federal Criminal Police Office, an act from 2009 concerning terrorism prevention, an act from 2015 introducing an obligation to store data records and an act to restrict the privacy of correspondence, post and telecommunications. In June 2016, a federal Government anti-terror package had

been adopted by the parliament, streamlining and amending previous legislation and enhancing certain provisions thereof.

27. Germany recalled the terrorist attacks on a train near Würzburg on 18 July 2016, at a music festival in Ansbach on 24 July 2016 and at a Christmas market in Berlin on 19 December 2016, in which 12 people had died and 50 had been injured.

Greece

28. Greece had ratified the Council of Europe Convention on Cybercrime of 2001 and the Additional Protocol thereto of 2003 concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems.

29. Security Council resolutions imposing international sanctions concerning terrorism were promptly forwarded to all domestic authorities tasked with their implementation by virtue of domestic Law No. 3691/2008. Greece also continued to cooperate with international, regional and other States' police authorities on terrorism-related issues.

30. In 2016, five individuals had been arrested in Greece for reasons associated with terrorism. Two of them had been placed under preventive custody for illegal possession of weapons; one had been the subject of an administrative expulsion to his country of origin; another had been sentenced to 38 months' imprisonment for illegal entry into Greece. In those four cases, an alert had been issued pursuant to applicable European Union law (articles 36 (2) and (3) of decision 2007/533/JHA of the Council of the European Union on the establishment, operation and use of the second generation Schengen Information System). The remaining person was arrested by virtue of a European Arrest Warrant.

Indonesia

31. Indonesia was a party to eight international instruments on counter-terrorism and was active in cooperation at the international and regional levels, as previously reported (see A/70/211, paras. 36-42). In particular, Indonesia highlighted its role as Co-Chair of the Detention and Reintegration Working Group of the Global Counterterrorism Forum for the period 2014-2016 and 2016-2017, as well as in promoting international and regional forums for international cooperation by, inter alia, hosting a number of related intergovernmental meetings, workshops and capacity-building initiatives.

32. Indonesia had signed memorandums of understanding on counter-terrorism cooperation with 13 countries, as well as treaties on mutual legal assistance and extradition with several jurisdictions. In addition, it had signed memorandums of understanding with 52 financial intelligence units around the world in order to strengthen its anti-money-laundering capabilities.

Lebanon

33. Lebanon had continued its cooperation with other States to strengthen border security and counter terrorism by, inter alia, circulating and implementing INTERPOL notices, exchanging information with partners and acting upon verified and confirmed information provided by security agencies of other States.

34. The Directorate General of the Internal Security Forces had adopted a range of political and legal measures. Furthermore, Lebanon recalled that its Law No. 44 on combating money-laundering and the financing of terrorism had been enacted on 24 November 2015. A special investigation commission had been established at the Bank of Lebanon, and the National Coordinating Committee to Combat the Financing of Terrorism, established under Council of Ministers decision No. 106

(2007), had put in place a mechanism for the implementation of the Security Council sanctions regimes. Security agencies had been successful in dismantling and neutralizing dozens of active or sleeper terrorist cells, as well as stemming the influx of foreign terrorists into Lebanon and dismantling and arresting several networks that had been recruiting Lebanese youths and sending them to the Syrian Arab Republic and Iraq to join either ISIL or Jabhat Fath al-Sham.

35. The Directorate General of Lebanese General Security was engaged in a series of security control measures, including the monitoring and control of border crossings, security investigations and preventive and operational measures. They included making sure that persons known to have participated in terrorist activities or incited terrorism were denied entry into the country, issuing orders to report the movements of suspects, arresting those travelling with false documents and carrying out investigations and operational activities as needed. They also included thorough procedures to identify suspected foreign terrorists before granting any form of temporary or permanent residence permit, including naturalization, and to ensure that terrorists were not sheltered by groups under direct State surveillance.

Malta

36. Malta had been a party to the 1977 European Convention on the Suppression of Terrorism since 1978. Between 1999 and 2013, it had concluded 15 bilateral agreements and memorandums of understanding relevant to the fight against terrorism. Of those, the ones with China (2009), Croatia (2010), Cyprus (two agreements in 1999), Georgia (2011), Greece (2001), Latvia (2008), Slovakia (2000), Slovenia (2003), Tunisia (2001), Turkey (1999), the United Kingdom of Great Britain and Northern Ireland (2013) and the United States of America (2008) were already in force, while the ones with Ireland (2009) and Saudi Arabia (2012) were not yet in force.

Mauritius

37. Mauritius was engaged in bilateral, regional and transnational cooperation in the fight against terrorism, including with the African Centre for the Study and Research on Terrorism, the United Nations Office on Drugs and Crime, the Federal Bureau of Investigation of the United States of America, the Southern African Development Community and the Indian Ocean Commission.

38. In relation to Security Council resolution 1373 (2001), domestic provisions had been adopted to criminalize activities related to terrorism, except for paragraph 1 (c), concerning the freezing of assets and funds of international terrorists; new provisions in that regard were currently being considered. In addition, several relevant domestic laws had been passed over time, including the Combating of Trafficking in Persons Act, 2009; the Dangerous Drugs Act, 2002; the Prevention of Terrorism Act, 2002; the Prevention of Terrorism (Amendment) Act, 2016; the Financial Intelligence and Anti-Money-Laundering Act, 2002; the Convention for the Suppression of the Financing of Terrorism Act, 2003; the Biological and Toxin Weapons Convention Act, 2004; the Mutual Assistance in Criminal and Related Matters Act, 2003; and the Extradition Treaty Acts 20 and 21 of 1970.

Netherlands

39. The Netherlands was fully committed to international cooperation in the fight against terrorism, for example by sponsoring relevant Security Council resolutions, such as resolution 2354 (2017), and by co-chairing the Global Counterterrorism Forum, including its Working Group on Foreign Terrorist Fighters. At the European Union level, it had participated in relevant strategic and legal decisions.

40. The Netherlands had adopted a national counter-terrorism strategy for 2016-2020, which brought together government departments in a joint approach based on assessing the terrorist threat through intelligence, preventing terrorism by early interventions, protecting and preparing in case of terrorist events and prosecuting terrorists. In particular, a comprehensive action programme to combat violent extremism had been adopted in 2014, focusing on a multidisciplinary approach with so-called case management teams, whose task was to reduce risk and further radicalization with tailor-made intervention plans involving multiple government entities.

41. An amendment to the Netherlands nationality law had entered into force in March 2016. It expanded the possibilities for revoking Netherlands citizenship in individual cases in which the person concerned had dual nationality and had been (irrevocably) convicted for (the preparation of) a terrorist offence. Another amendment provided the relevant authorities with the legal power to revoke Netherlands nationality in specific cases and within strict conditions when a person had joined a (terrorist) organization that participated in an armed conflict and had been placed on a list of organizations posing a threat to national security, if that person were outside the Netherlands, had dual nationality and posed a threat to national security. In both cases, the person had legal recourse against the decision. In addition to those measures, the Interim Act for Administrative Measures to Combat Terrorism had been adopted. The Act introduced, among other things, the option to apply temporary restrictive measures (an exclusion order, a restraining order and/or a duty to report) to persons who, on the basis of their conduct, might be linked to supporting or committing terrorist activities. A travel ban could be imposed when there was reasonable suspicion that a person would travel abroad to join a terrorist organization that had been placed on the list of organizations that posed a threat to national security. To support the travel ban, the Passport Act had also been amended.

Panama

42. Panama had ratified 19 universal and regional counter-terrorism instruments. It continued to be actively engaged in international and regional efforts, including by implementing specific provisions of domestic law, as detailed previously (see A/70/211, paras. 58-62). In addition, by Executive Decree No. 324 of 19 July 2016, standards for the development of national lists for the purpose of combating terrorism and terrorism financing had been established in accordance with Security Council resolution 1373 (2001). At the request of another State and pursuant to the resolution, Panama had included in its national list four individuals associated with terrorist movements, and would impose freezing measures on them should any assets be acquired in Panama. No judicial proceedings concerning terrorism were open at the time of reporting.

Poland

43. Poland was a party to 13 universal counter-terrorism instruments, as well as to the Council of Europe Convention on the Prevention of Terrorism and the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, of 2005, and the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism of 2015. It had also been a party to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime of 1990.

44. Between 1992 and 2014, it had concluded 42 bilateral agreements and memorandums of understanding relevant to the fight against terrorism, namely, with Armenia (2004), Austria (2002), Azerbaijan (2008), Belarus (2003), Belgium (2000),

Brazil (2006), Bulgaria (2002), Chile (2006), Croatia (2010), Cyprus (2005), Czechia (2006), Egypt (1996), Estonia (2003), Finland (1999), France (1996), Georgia (2007), Germany (2014), Greece (1993), Hungary (1996), India (2003), Indonesia (2005), Ireland (2001), Italy (2007), Kazakhstan (2002), Latvia (1994), Lithuania (2006), Mexico (2002), the Netherlands (2001), the Republic of Moldova (2003), Romania (2001), the Russian Federation (1992), Saudi Arabia (2007), Slovakia (2004), Spain (2000), Sweden (2005), Tajikistan (2003), the former Yugoslav Republic of Macedonia (2008), Turkey (2003), Ukraine (1999), the United Kingdom of Great Britain and Northern Ireland (1997), Uzbekistan (2002) and Viet Nam (2003).

45. The Polish legal framework concerning terrorism encompassed provisions in the Penal Code, the Act on emergency management of 2007 (as amended in 2013), the Act on counteracting money-laundering and terrorist financing of 2000 (as amended in 2016) and the Act on counterterrorist activities of 2016, as well as procedural norms, such as those in the Police Act of 1990 (as amended in 2016), the Law on the Border Guard of 1990 (as amended in 2016) and the Act on the Internal Security Agency and the Intelligence Agency of 2002 (as amended in 2016). In particular, article 115 (20) of the Penal Code defined an offence of a terrorist character as any act or threat of committing an act punishable by the penalty of deprivation of liberty whose upper limit was at least five years, committed to seriously intimidate many people, force the public authority of Poland, another State or an organ of an international organization to take or discontinue certain activities and cause serious disturbances in the political system or economy of Poland, other State or international organization. In addition, several provisions of the Penal Code reflected the obligation to criminalize certain acts enshrined in universal counter-terrorism instruments (articles 120, 121, 136, 148, 156, 160, 163-167, 173, 174, 190, 252, 255a, 258, 259a, 269 and 288). Moreover, the Act on counterterrorist activities of 2016 implemented Security Council resolution 2178 (2014) and the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism by introducing the offences of participation in terrorism training and of crossing the border of Poland in order to commit terrorism-related offences. In relation to terrorism financing, collective entities could also be liable for a terrorist financing offence if natural persons acted, inter alia, in the name or on behalf of such collective entities or under their authority or orders. Furthermore, domestic provisions had been introduced concerning the compensation of victims of terrorism.

46. In 2015, out of 260,034 total criminal convictions in Poland, 338 concerned terrorism-related offences proscribed by either article 165a or 258 of the Penal Code or article 35 of the Act on counteracting money-laundering and terrorist financing of 2000. In 2016, 43 criminal proceedings had been instigated in cases related to terrorism offences, as provided for in article 115 of the Penal Code; 16 persons had been charged, and indictments had been brought against 8; a total of five convictions ensued. Also in 2016, four criminal proceedings had been instigated in cases related to terrorism financing and one indictment had been brought against four persons.

Romania

47. Romania was a party to 16 universal counter-terrorism instruments and to 15 other instruments related to terrorism and international cooperation in criminal matters. In particular, in 2016, it had signed the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism of 2015, and it had become a member of the Public Key Directory of the International Civil Aviation Organization.

48. By virtue of its membership in the European Union, the provisions of that legal order relevant to counter-terrorism were binding upon Romania, including European Union directive No. 2016/681 on the use of passenger name record data

(which it was working to transpose into its national law) and directive No. 2017/541, which set out a common legal framework for all member States and a harmonized definition of terrorist offences. Romania had also concluded a number of bilateral agreements relevant to the fight against international terrorism.

49. Law No. 535/2004 on preventing and countering terrorism, as subsequently amended, regulated national activities in that field. It criminalized a series of acts assimilated to terrorist acts, such as recruitment for the purpose of committing terrorist acts and association for a terrorist purpose, financing of terrorism, incitement to terrorism and terrorist propaganda, alarming without a justified reason and threatening for a terrorist purpose. In addition, the Law provided for specific preventive measures in relation to foreign citizens and stateless persons suspected of intending to carry out terrorist acts, including the possibility of expulsion to the country of origin or residence. Since 2016, in compliance with Security Council resolution 2178 (2014), the Law, as amended, also criminalizes the attempt to travel to a State other than the State of residence or nationality for the purpose of perpetrating, planning, preparing or participating in terrorist acts or for providing and receiving terrorist training, or supporting, in any way, terrorist entities. Law No. 535/2004 also set up the National System for Preventing and Combating Terrorism as a platform for cooperation and coordination.

50. No terrorist incident had taken place in Romania, but Romanian citizens had been among the victims of terrorist attacks that had hit Europe in recent years. In 2015, a denial of entry to Romania had been enforced upon 336 individuals who had been assessed as posing a terrorist risk. In the same period, the Court of Appeal of Bucharest had declared 10 foreign citizens undesirable as they had been assessed as a threat to national security owing to their terrorist links. They had been expelled from Romania.

Serbia

51. Serbia was a party to 15 universal and 6 regional counter-terrorism instruments, 8 bilateral agreements and various inter-agency agreements, as discussed in the previous report, which also contained information about the domestic legal framework and the extensive international and regional cooperation efforts (see A/71/182, paras. 55-58). In particular, Serbia highlighted its established cooperation with Europol and the joint investigation team established in the light of the Police Cooperation Convention for Southeast Europe, and a number of bilateral exchanges of information with the security services of Austria, Germany, Italy, Romania and Turkey. Furthermore, a joint court proceeding was currently under way against seven Serbian citizens for the criminal offences of terrorist association and other criminal offences linked to terrorism; three persons were being tried in absentia.

Slovenia

52. By virtue of its membership in the European Union, Slovenia had been involved in the drafting and domestic implementation of relevant European Union law, including the anti-money-laundering directive implementing the *International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation* of the Financial Action Task Force, regulation No. 1889/2005 on controls of cash entering or leaving the Community and regulation No. 116/2009 on the export of cultural goods. In 2016, the new Prevention of Money Laundering and Terrorist Financing Act had been adopted in Slovenia, which, inter alia, lowered the statutory limit for reporting cash transactions to the Ministry of Finance to €15,000, introduced further monitoring duties for financial institutions, including in terms of identification of the real owners of assets, and enhanced the powers of the Ministry of Finance to temporarily suspend transactions. Slovenia had also adopted

implementing measures aiming at curbing the travel of foreign terrorist fighters, including provisions in 2015 concerning the refusal of travel documents.

53. Article 108 of the Criminal Code proscribed terrorism as an act carried out with the intention to destroy or severely jeopardize the constitutional, social or political foundations of Slovenia, another country or an international organization, to arouse fright among the population or to force the Government of Slovenia, another country or an international organization to perform or stop performing something. To qualify as terrorism, the act in question must consist of one of the following: an assault on life or body or human rights and freedoms; taking hostages; considerable destruction of State or public buildings or representations of foreign States, the transport system, infrastructure, the information system, secured platforms in the continental shelf, a public place or private property; hijacking of an aircraft, ship or public transport; production, possession, purchase, transport, supply or use of weapons, explosives or nuclear, biological or chemical weapons; research and development of nuclear, biological or chemical weapons; endangering security by releasing hazardous substances or causing fires, floods or explosions; or the disturbance or termination of supply of water, electrical energy or other basic natural resources, which could endanger human life. The use of nuclear or radioactive substances, the death of one or more individuals, participation in a criminal organization or group and aiding or assisting in the preparation of a terrorist act were also proscribed in the same article. In addition, articles 109-111 of the Criminal Code criminalized the financing of terrorist activities, incitement and public glorification of terrorist activities, and conscripting and training for terrorist activities, respectively.

54. In 2016, the Ministry of Finance had received 14 reports from financial institutions concerning financial transactions, funds and individuals who could be linked to terrorism financing, an increase from the average of four reports per year between 2010 and 2015. As a result of those 14 reports, nine notifications had been submitted to competent authorities because of reasonable grounds for the suspicion of a criminal offence.

Sweden

55. Sweden had ratified 16 universal counter-terrorism instruments. It had also signed 18 relevant Council of Europe instruments and had ratified 12 of them.

56. In December 2016 and February 2017, a Swedish court of appeal and a district court had acquitted two individuals accused of terrorism-related offences: one person had been prosecuted for travelling to the Syrian Arab Republic for the purpose of committing a terrorist offence, and the other had been prosecuted for providing instructions to be used for devastation endangering the public in the Syrian Arab Republic. In addition, in February 2017, one individual had been sentenced by a Swedish district court to six months of imprisonment for public provocation to finance a terrorist offence; the judgment has been appealed.

Switzerland

57. Switzerland reiterated information concerning its ratification of international and regional instruments, as reported previously (see A/71/182/Add.2, para. 1). It also reiterated the changes in the national law on intelligence services, which would come into effect in the autumn of 2017 (ibid., para. 2), and announced a forthcoming general amendment to the law on mail and telecommunications surveillance.

58. In addition to the incidents reported in 2016 (ibid., para. 3), two Swiss citizens and one Swiss resident had lost their lives and 10 had been injured in the attacks in

Nice, France, of 14 July 2016. In December 2016, a French citizen working in humanitarian assistance for a Swiss organization had been kidnapped in Mali.

59. In 2016, financial intermediaries had communicated 25 cases of presumed financing of terrorism to the competent authorities on money-laundering, a decrease from the previous year. Seven of the 25 communications had led to transmission to the competent authorities for criminal prosecution. While five cases had already been the object of a decision by the prosecuting authorities not to proceed any further, the others were still being evaluated.

60. In 2016, the Swiss federal police had investigated more than 60 persons in relation to terrorist activities. Of those, more than 40 were the object of investigations concerning the travel of foreign terrorist fighters. The federal prosecution service had issued criminal orders against many individuals concerning terrorist propaganda. Two Swiss citizens had been the object of a criminal procedure for travelling towards zones of conflict in order to join a terrorist organization, and had been detained on their return and later put under surveillance. The investigation mentioned in the previous report concerning individuals suspected of supporting an ethnonationalist group had formally concluded in 2016 and the trial was set to begin in 2018 (ibid., para. 5). The conviction of three Iraqi citizens in March 2016 for having supported and participated in a criminal organization, under article 260 *ter* of the Swiss Criminal Code, by forming an ISIL cell operating in Switzerland, had been partially quashed upon appeal in March 2017, and the three suspects had been freed, although they were still the object of administrative surveillance measures and had been ordered to leave the country (ibid., para. 6). In July 2016, a Swiss citizen had been convicted, with a suspended sentence of 18 months, of attempting to join a terrorist organization; the person in question would undergo a three-year probation period during which a number of conduct requirements would need to be met.

61. In 2016 and as of May 2017, 23 requests for judicial cooperation in relation to terrorism had been received, 8 of which had been executed or partially executed. In the same period, Swiss authorities had sent 24 requests for judicial cooperation to other countries, 6 of which had been executed. Switzerland had also received several extradition requests, some of which had been complied with.

Ukraine

62. In order to curb the phenomenon of foreign terrorist fighters, the Security Service had denied entry into Ukraine of over 949 ISIL supporters since the beginning of 2015 (481 individuals since the beginning of 2016). During 2015 and 2016, the Security Service, acting in cooperation with partner intelligence services, had exposed and localized the activity of four ISIL transnational logistics networks operating in Ukraine, which had been engaged in searching for, recruiting, training, financing and transporting fighters. Seventeen "transfer points" used for the temporary accommodation of foreign terrorist fighters had been dismantled, and over 60 members and supporters of ISIL, some of whom were on INTERPOL lists, had been discovered. In addition, firearms, ammunition, grenades, explosives and improvised explosive devices had been seized along with other equipment and data storage units. During the same period, nine foreign nationals had been charged with terrorism crimes related to ISIL under articles 255 and 263 of the Criminal Code of Ukraine. In addition, the indictment of three ISIL members suspected of committing crimes under articles 258-3, 258-5, 263 and 358 of the Criminal Code were directed to court, while pretrial investigations were continuing in other cases.

B. Information received from international organizations

International Maritime Organization

63. As at 1 June 2017, the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation had 166 contracting parties, while the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf had 156. The Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation had 41 contracting States, and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf had 35. Chapter XI-2 of the annex to the International Convention for the Safety of Life at Sea, 1974, as amended, was also of relevance, as was part A of the International Ship and Port Facility Security Code, adopted in 2002; the Convention had 163 States parties representing more than 99 per cent of the gross tonnage of the world's merchant fleet (see A/71/182, paras. 75 and 76).

64. In January 2017, the signatory States to the Code of Conduct concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden, developed under the auspices of the International Maritime Organization, adopted the Jeddah Amendment to the Code of Conduct, which expanded the scope of the original counter-piracy Code to address maritime terrorism, illicit maritime activity and maritime governance in general.

United Nations Educational, Scientific and Cultural Organization

65. The United Nations Educational, Scientific and Cultural Organization (UNESCO) reiterated in detail the multifaceted aspects of its work relevant to counter-terrorism (see A/71/182, paras. 78-82). In addition, UNESCO highlighted Security Council resolution 2347 (2017), on the protection of cultural heritage in the event of armed conflict, in which the Council had welcomed the central role of UNESCO in protecting cultural heritage. In 2017, UNESCO had organized a series of capacity-building seminars for education stakeholders in Africa, as well as capacity-building activities in Albania, Iraq, Jordan and Kazakhstan, among others. UNESCO had also developed several partnerships with different actors at various levels in order to strengthen cooperation and build networks in the fight against terrorism through education and culture. For example, in 2016, the first International Conference on the Prevention of Violent Extremism through Education: Taking Action was co-organized in India. Furthermore, the second International Conference on Youth Volunteering and Dialogue, entitled "Preventing violent extremism and strengthening social inclusion", will be held in Paris in September 2017.

Universal Postal Union

66. The Universal Postal Union (UPU) was actively involved in a number of initiatives aimed at minimizing risks to exploit the global postal supply chain. Together with other stakeholders, including the International Civil Aviation Organization, the International Air Transport Association and the World Customs Organization, UPU contributed to a number of working groups focused on deterring, detecting and mitigating explosive or incendiary attacks on the aviation sector. UPU also provided significant support to member countries for processes designed to facilitate risk assessments of mail at the earliest possible point within the postal mail stream. In addition, UPU had distributed vital information intended to safeguard designated postal operators against chemical, biological, radiological and explosive threats. Furthermore, UPU compiled best practices in postal security, including with regard to terrorism, and shared information through training materials for member

countries. The UPU Postal Security Group, comprising postal operators from around the world, met regularly to discuss evolving terror threats and countermeasures.

European Union

67. The European Union had adopted various policy and strategy decisions concerning the fight against terrorism, including the 2005 European Union Counter-Terrorism Strategy and the 2016 Global Strategy for Foreign and Security Policy. A new Security Union portfolio had been established within the European Commission.

68. Among the internal measures adopted, the European Union highlighted the sharing of information and international cooperation, the activities of external border control, the prevention of the free movement of firearms and explosives, the activities aimed at countering terrorism financing and the securing of electronic evidence for criminal proceedings. In that regard, the European Union described the role of its institutions, including the European Border and Coast Guard (Frontex), Eurojust and the European Counter-Terrorism Centre of Europol. Various tools and methods were also mentioned, such as the European Criminal Records Information System, the False and Authentic Documents Online database, the European Union Bomb Data System, the Europol Platform for Experts, the European Union-United States of America Terrorist Financing Tracking Programme and the Financial Intelligence Units computer network (FIU.net).

69. The European Union also highlighted its efforts in the prevention of radicalization, including through the Radicalization Awareness Network Centre of Excellence, the European Union Internet Forum and the European Union Internet Referral Unit, as well as the adoption by the Council of the European Union of conclusions on the prevention of radicalization leading to violent extremism in November 2016.

70. Among the external measures taken, the European Union highlighted the activities of the Counter-Terrorism Division of the European External Action Service and continued cooperation at the bilateral, regional and multilateral levels. In October 2016, a consortium of member States and the European Union had signed a long-term programme aimed at assisting countries in the Middle East and North Africa to operationalize and implement counter-terrorism actions agreed at the political level. Other projects concerned, inter alia, the western Balkans, the Mediterranean area, the Sahel and the Horn of Africa. The European Union was also involved in the coalition against ISIL and in other multilateral efforts at the international level, including work through the Financial Action Task Force.

71. Council decision No. 2011/487 implemented in the legal order of the European Union the framework arising from Security Council resolutions on terrorism-related sanctions. In addition, autonomous European Union sanctions against persons, groups and entities involved in terrorist acts had been adopted. In 2016, a directive on network and information security had been adopted, which laid down measures with a view to achieving a high common level of security of network and information systems within the European Union so as to improve the functioning of the internal market.

72. Several terrorist attacks had occurred in Europe in 2015 and 2016. Eurojust had been requested to assist States in a number of complex cross-border counter-terrorism cases: there had been 47 such cases in 2016 to September, 41 in 2015 and 14 in 2014. In addition, Eurojust provided assistance to joint investigative teams established by States, three of which had operated in 2016. Eurojust had also received information on ongoing terrorism-related prosecutions and convictions (113 ongoing cases and 65 concluded court cases in the period from January to September 2016). More than 33,900 intelligence leads had been provided by the

European Union-United States Terrorist Financing Tracking Programme since its establishment in 2010. As of October 2016, 15,421 referrals of relevant Internet content had been identified by the European Union Internet Referral Unit for removal by social media and respective online service providers; 88.9 per cent of those decisions for referral had been successful.

Collective Security Treaty Organization

73. The legal basis for collective action on counter-terrorism of member States of the Collective Security Treaty Organization was enshrined in a number of international agreements adopted under the auspices of the organization and in decisions adopted by the Council on Collective Security of the organization.

74. A collective security strategy for the period 2016-2025 had been adopted in October 2016 by the Council on Collective Security.

75. In October 2016, the Council on Collective Security had adopted regulations on the establishment of a single list of organizations designated as terrorist organizations by the Collective Security Treaty Organization and a package of legal and administrative measures aimed at improving the coordination of the efforts of member States concerning terrorism.

Council of Europe

76. The new Council of Europe Convention on Offences relating to Cultural Property had been adopted in May 2017 and was open for signature. It aimed to prevent and combat the illicit trafficking and destruction of cultural property, in the framework of action by the Council of Europe to fight terrorism and organized crime. Furthermore, the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism of 2015 would enter into force on 1 July 2017.

77. In May 2017, the Committee of Ministers of the Council of Europe had welcomed the implementation of the 2015 action plan of the Council on the fight against violent extremism and radicalization leading to terrorism; on the same occasion, the Committee had adopted guidelines on the protection of victims of terrorist acts. In 2016, the Committee had adopted guidelines on how to prevent violence, extremism and radicalization in prisons.

Organization of American States

78. As at 10 May 2017, the Inter-American Convention against Terrorism of 2002 had been signed by 33 member States of the Organization of American States and had been ratified by 24. The secretariat of the Inter-American Committee against Terrorism had undertaken significant outreach efforts to encourage member States to ratify the Convention and fully implement its provisions.

79. The Inter-American Committee against Terrorism had held its sixteenth regular period of sessions in February 2016. In addition, the secretariat had provided technical assistance and training courses in 2016 in the areas of cybersecurity and critical infrastructure, border controls, preventing the financing of terrorism and supporting the implementation of Security Council resolution 1540 (2004). The secretariat had also provided legislative assistance to member States.

Organization for Security and Cooperation in Europe

80. The Organization for Security and Cooperation in Europe (OSCE) Consolidated Framework for the Fight against Terrorism of 2012 reiterated the organization's comprehensive approach in the fight against terrorism and identified strategic areas of focus for its counter-terrorism efforts. The programmes undertaken by the

organization were aimed at, among other things: promoting the international legal framework against terrorism and facilitating cooperation in related criminal matters; supporting the strengthening of security of travel documents and of their issuance processes in line with international standards; preventing and countering violent extremism and radicalization that led to terrorism; countering the use of the Internet for terrorist purposes; promoting dialogue and cooperation in addressing counter-terrorism issues, in particular through public-private partnerships; supporting the implementation of the United Nations Global Counter-Terrorism Strategy, including in relation to human rights; and combating money-laundering and the financing of terrorism.

81. In 2016, the declaration on strengthening OSCE efforts to prevent and counter terrorism (MC.DOC/1/16) and decision No. 6/16 concerning the use of advance passenger information in identifying foreign terrorist fighters (MC.DEC/6/16) had been adopted by the OSCE Ministerial Council. In the latter, States had affirmed their commitment to the implementation of Security Council resolutions 2178 (2014) and 2309 (2016).

III. International legal instruments relating to the prevention and suppression of international terrorism

82. Currently, there are 52 instruments pertaining to international terrorism. Of those, 19 are universal and 33 are regional.

A. Universal instruments

United Nations

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973

International Convention against the Taking of Hostages, 1979

International Convention for the Suppression of Terrorist Bombings, 1997

International Convention for the Suppression of the Financing of Terrorism, 1999

International Convention for the Suppression of Acts of Nuclear Terrorism, 2005

International Atomic Energy Agency

Convention on the Physical Protection of Nuclear Material, 1979

Amendment to the Convention on the Physical Protection of Nuclear Material, 2005

International Civil Aviation Organization

Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963

Convention for the Suppression of Unlawful Seizure of Aircraft, 1970

Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft, 2010

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971

Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988

Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991

Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, 2010

Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, 2014

International Maritime Organization

Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988

Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation

Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988

Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf

B. Regional instruments

African Union

Organization of African Unity Convention on the Prevention and Combating of Terrorism, 1999

Protocol of 2004 to the Convention on the Prevention and Combating of Terrorism

Association of Southeast Asian Nations

Association of Southeast Asian Nations Convention on Counter-Terrorism, 2007

Central African Economic and Monetary Community

Regulation No. 08/05-UEAC-057-CM-13 on the adoption of the Convention on the fight against terrorism in Central Africa, 2005

Collective Security Treaty Organization

Agreement on collective forces of rapid response of the Collective Security Treaty Organization, 2009

Commonwealth of Independent States

Treaty on Cooperation among States Members of the Commonwealth of Independent States in Combating Terrorism, 1999

Protocol of 2002 approving the procedure for organizing and conducting joint counter-terrorism activities in the States members of the Commonwealth of Independent States, 2002

Treaty of States Members of the Commonwealth of Independent States on Combating the Legalization (Laundering) of Proceeds from Crime and the Financing of Terrorism, 2007

Cooperation Council for the Arab States of the Gulf

Convention of the Cooperation Council for the Arab States of the Gulf on Combating Terrorism, 2004

Council of Europe

European Convention on the Suppression of Terrorism, 1977

Protocol amending the European Convention on the Suppression of Terrorism, 2003

Council of Europe Convention on the Prevention of Terrorism, 2005

Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, 2005

Additional Protocol of 2015 to the Council of Europe Convention on the Prevention of Terrorism

Council of Europe Convention on Offences relating to Cultural Property, 2017

Eurasian Group on Combating Money-Laundering and Financing of Terrorism

Agreement on the Eurasian Group on Combating Money-Laundering and Financing of Terrorism, 2011

European Union

Convention on the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration, 2005

League of Arab States

Arab Convention on the Suppression of Terrorism, 1998

Amendment of 2008 to the Arab Convention on the Suppression of Terrorism

Arab Convention on Combating Money-Laundering and the Financing of Terrorism, 2010

Organization of American States

Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance, 1971

Inter-American Convention against Terrorism, 2002

Organization of the Black Sea Economic Cooperation

Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in its Organized Forms, 2004

Organization of Islamic Cooperation

Convention of the Organization of the Islamic Conference on Combating International Terrorism, 1999

Shanghai Cooperation Organization

Shanghai Convention on Combating Terrorism, Separatism and Extremism, 2001

Agreement on the procedure for organizing and conducting joint anti-terrorist measures in the territory of the States members of the Shanghai Cooperation Organization, 2006

Agreement on cooperation in identifying and blocking the entry routes to Shanghai Cooperation Organization member States of persons involved in terrorist, separatist and extremist activities, 2006

Agreement on the procedure for organizing and conducting joint counter-terrorism exercises by Shanghai Cooperation Organization member States, 2008

Agreement on cooperation among the Governments of the Shanghai Cooperation Organization member States in combating the illicit traffic in weapons, ammunition and explosives, 2008

Agreement on training for counter-terrorism units of the Shanghai Cooperation Organization member States, along with a number of other legal and regulatory instruments, 2009

Shanghai Cooperation Organization Convention against Terrorism, 2009

South Asian Association for Regional Cooperation

South Asian Association for Regional Cooperation Regional Convention on Suppression of Terrorism, 1987

Additional Protocol of 2004 to the Regional Convention on Suppression of Terrorism